



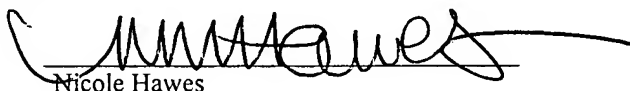
DOCKET NO.: C1037.70041US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No.: 10/613,749
Confirmation No.: 6452
Filed: July 3, 2003
For: NUCLEIC ACID COMPOSITIONS FOR STIMULATING
IMMUNE RESPONSES
Examiner: Nita M. Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 5th day of May, 2008


Nicole Hawes

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Inventor(s)</u> | <u>Docket No.</u> |
|-------------------|--------------------|--------------------|-------------------|
| 11/629,106 | 12-08-2006 | Lipford et al. | *C1041.70027US01 |
| 11/725,339 | 03-19-2007 | Schetter et al. | *C1041.70019US01 |
| 11/901,712 | 09-17-2007 | Schetter et al. | *C1039.70069US01 |
| 11/983,039 | 11-06-2007 | Rittershaus et al. | C1037.70072US01 |
| 11/988,396 | 01-07-2008 | Readett et al. | *C1037.70063US01 |

*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

| <u>Serial No.</u> | <u>Mailing Date</u> | <u>Type(s) of Correspondence</u> | <u>Docket No.</u> |
|-------------------|---------------------|---|-------------------|
| EP 03763239.5 | July 4, 2007 | Supplementary European Search Report | C1037.70041EP00 |

The Applicant hereby makes the following additional information of record in the above-identified application, copies of which are enclosed unless otherwise specified:

Office Communication mailed 03/25/2005 for Application No. 10/613,228 (C1037.70045US00)

Office Communication mailed 10/20/2005 for Application No. 10/613,228 (C1037.70045US00)

Office Communication mailed 04/24/2006 for Application No. 10/613,228 (C1037.70045US00)

Office Communication mailed 10/15/2007 for Application No. 10/613.228 (C1037.70045US00)
Office Communication mailed 02/08/2008 for Application No. 10/613,736 (C1037.70044US00)
Office Communication mailed 06/27/2007 for Application No. 10/613,524 (C1037.70042US00)
Office Communication mailed 04/30/2008 for Application No. 10/613,524 (C1037.70042US00)
Office Communication mailed 09/22/2006 for Application No. 10/613,739 (C1037.70043US00)
Office Communication mailed 07/16/2007 for Application No. 10/613,739 (C1037.70043US00)
Office Communication mailed 04/18/2008 for Application No. 10/613,739 (C1037.70043US00)

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Serial No.: 10/613,749
Conf. No.: 6452

- 4 -

Art Unit: 1645

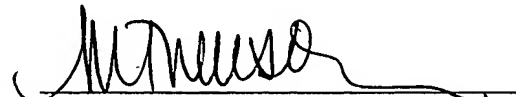
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



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Docket No.: C1037.70041US00
Date: May 5, 2008
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